

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
	:	MAGISTRATE NO. 21-1530-M
v.	:	
	:	
ANDREW WOLF	:	

**JOINT MOTION FOR CONTINUANCE PURSUANT TO
TITLE 18, UNITED STATES CODE, SECTION 3161(h)(7)(A)**

The United States of America, by and through its attorneys, Jennifer Arbittier Williams, United States Attorney for the Eastern District of Pennsylvania, and Kelly Harrell, Assistant United States Attorney for the District, along with defense counsel, Peter Bowers, Esquire, and Arthur Donato, Esquire, on behalf of the defendant, jointly move for a 60-day continuance of the time within which an Indictment or Information must be filed in this case, and in support of this motion state as follows:

1. On October 7, 2021, defendant Andrew Wolf was arrested on a federal complaint and warrant charging the defendant with receipt and attempted receipt of child pornography, in violation of 18 U.S.C. § 2252(a)(2), and distribution, attempted distribution, and willfully causing the distribution of child pornography, in violation of 18 U.S.C. §§ 2252(a)(2) and 2(b).
2. The Speedy Trial Act, 18 U.S.C. § 3161, requires that an Indictment or Information be filed within 30 days from the date on which the defendant was arrested, in this case by November 6, 2021. 18 U.S.C. § 3161(b).
3. On November 4, 2021, the Honorable Carol Sandra Moore Wells, United

States Magistrate Judge, signed an order granting a joint motion of the parties to extend the time within which the government must file an Indictment or Information by 60 days, that is, until January 5, 2022, in order for the parties to further review the case and discuss its resolution.

4. The government and the defendant, through counsel, request additional time to further review the case and to consider a possible non-trial disposition. In order to prevent a miscarriage of justice, the parties request a 60-day extension of the time under 18 U.S.C. § 3161(b), that is until March 6, 2022, within which an Indictment or Information must be filed by the government.

5. Counsel for the government and the defendant believe that the public interest will best be served by a 60-day extension to continue to further review the case and explore the possibility of a non-trial disposition. Such a disposition would serve the public interest by more efficiently allocating precious judicial resources.

WHEREFORE, for the above reasons, it is respectfully submitted that the ends of justice will be served best by the granting of a continuance of 60 days of the time within which to file an Indictment or Information in this case, that is, until March 6, 2022. *See* 18 U.S.C. § 3161(h)(7)(A).

Respectfully submitted,

JENNIFER ARBITTIER WILLIAMS
United States Attorney

/s/ Kelly Harrell
KELLY HARRELL
Assistant United States Attorney

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ORDER

AND NOW, this 3rd day of January, 2022, on consideration of the joint motion of the parties for an extension of time within which the government must file an Indictment or Information and exclusion of time under the Speedy Trial Act, and based on the Court's findings pursuant to 18 U.S.C. § 3161(h)(7)(A) that failure to extend by an additional 60 days the time, under 18 U.S.C. §3161(b), within which the government must file an Indictment or Information in the instant case would be likely to result in a miscarriage of justice which outweighs the interests of the public and the defendant in a speedy trial due to the desire of the parties to further review the case and discuss resolution, it is hereby ORDERED that the time period within which the government must file an Indictment or Information in this matter is extended for 60 days and that period of time shall be excluded from all computations of time under the Speedy Trial Act, 18 U.S.C. § 3161.

WHEREFORE, in accordance with Title 18, United States Code, Section § 3161 (h)(7)(A), it is hereby ORDERED that the time in which an Indictment or Information must be filed in the above action is continued for a period of 60 additional days, until March 6, 2022.

BY THE COURT:

/s/ Lynne A. Sitarski

HONORABLE LYNNE A. SITARSKI
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing motion has been served by electronic filing and/or email upon the following:

Arthur T. Donato, Esquire
art@artdonato.com

Peter Bowers, Esquire
peter@peterbowerspc.com

/s Kelly Harrell

KELLY HARRELL

Assistant United States Attorney

DATE: January 3, 2022